

# EXHIBIT 3

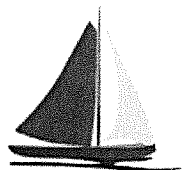
EXHIBIT 3

Transcript of  
**Douglas Bilter**

Date: Friday, February 24, 2017

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1 IN THE UNITED STATES DISTRICT COURT

2 IN AND FOR THE DISTRICT OF MARYLAND

3 JUSTIN MILLS,

4 Plaintiff

Case No.

5 vs.

RDB 15-495

6 ANNE ARUNDEL COUNTY,

7 MARYLAND, ET AL,

8 Defendants

9 \_\_\_\_\_ /

Pursuant to Notice, the deposition of  
DOUGLAS BILTER was taken on Friday, February  
24, 2017, commencing at 9:58 a.m., at the  
offices of Anne Arundel County Office of Law,  
2660 Riva Road, 4th Floor, Annapolis, Maryland  
21401 before David C. Corbin, a Registered  
Professional Reporter and Notary Public.

17

18

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LAWRENCE JUSTIN MILLS vs ANNE ARUNDEL COUNTY, MARYLAND  
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Pages 38-41

<p style="text-align: right;">Page 38</p> <p>1 first class.</p> <p>2 Q. And what -- all right. Walk me through</p> <p>3 the Anne Arundel County police department. You've</p> <p>4 been hired, you're at the Academy, what is your</p> <p>5 title?</p> <p>6 A. Recruit police officer or police cadet.</p> <p>7 Q. You graduate. Now what are you?</p> <p>8 A. Police officer.</p> <p>9 Q. Okay. And you get your first promotion,</p> <p>10 now what are you?</p> <p>11 A. Police Officer First Class.</p> <p>12 Q. Next promotion?</p> <p>13 A. Corporal.</p> <p>14 Q. Promotion after that?</p> <p>15 A. Sergeant.</p> <p>16 Q. And promotion after that?</p> <p>17 A. Lieutenant.</p> <p>18 Q. And after that?</p> <p>19 A. Captain.</p> <p>20 Q. Is there one after that?</p> <p>21 A. There is many more after that. But the</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Let's not talk about -- let's not use the</p> <p>2 word working for. Were you employed by the Anne</p> <p>3 Arundel Police Department, whatever other employment</p> <p>4 you might have had as well, when you met with</p> <p>5 Mr. Mills?</p> <p>6 MR. CREECH: Objection. Go ahead.</p> <p>7 A. Yes.</p> <p>8 Q. Okay. And what office building or place</p> <p>9 was your home base with Anne Arundel County's</p> <p>10 employment of you?</p> <p>11 MR. CREECH: At the time he interacted</p> <p>12 with Mr. Mills, right?</p> <p>13 MR. NERSESIAN: Yes.</p> <p>14 A. I believe I was at Eastern District at</p> <p>15 that point.</p> <p>16 Q. Where is that?</p> <p>17 A. The police station for Eastern District</p> <p>18 is -- was a different building than it was now. We</p> <p>19 have a newer building. The current address is 204</p> <p>20 Pasadena Road.</p> <p>21 Q. Sorry?</p>
<p style="text-align: right;">Page 39</p> <p>1 order of which they are, I wouldn't be able to tell</p> <p>2 you.</p> <p>3 Q. What's the top dog?</p> <p>4 A. The Chief of Police.</p> <p>5 Q. Chief. And I would then guess going</p> <p>6 backwards an Assistant Chief of Police and on down</p> <p>7 to where you finally reach Captain too?</p> <p>8 A. Yes.</p> <p>9 Q. Are you at a specific post?</p> <p>10 MR. CREECH: Objection. What point in</p> <p>11 time?</p> <p>12 A. No.</p> <p>13 Q. When you were meeting with Mr. Mills.</p> <p>14 MR. NERSESIAN: Good objection. Thank</p> <p>15 you.</p> <p>16 A. I was not at a post because I was not</p> <p>17 working for the County at the time.</p> <p>18 Q. The day before and the day after were you</p> <p>19 working for the County?</p> <p>20 A. I don't know, I would have to look at my</p> <p>21 schedule.</p>	<p style="text-align: right;">Page 41</p> <p>1 A. 204 Pasadena Road is the current Eastern</p> <p>2 District building.</p> <p>3 Q. And is that where you are today?</p> <p>4 A. Yes.</p> <p>5 Q. Have you been anywhere else in the</p> <p>6 interim?</p> <p>7 MR. CREECH: You mean other districts?</p> <p>8 A. I have worked at Northern District before</p> <p>9 Eastern. When I switched over, I couldn't tell you</p> <p>10 right now.</p> <p>11 Q. Do you do ongoing training with Anne</p> <p>12 Arundel?</p> <p>13 A. Inservice training, correct.</p> <p>14 Q. What about -- does that include coursework</p> <p>15 and classwork?</p> <p>16 A. I don't know what that would entail.</p> <p>17 Q. When did you become a Corporal?</p> <p>18 A. 2000 -- about -- I would say about 2014,</p> <p>19 2015.</p> <p>20 Q. Okay. Enjoying it?</p> <p>21 A. As much as I can.</p>



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Pages 42-45

<p style="text-align: right;">Page 42</p> <p>1 Q. When you're working for Anne Arundel</p> <p>2 County as a police officer, what are your ordinary</p> <p>3 duties?</p> <p>4 A. To patrol.</p> <p>5 Q. You're a patrol officer?</p> <p>6 A. Correct.</p> <p>7 Q. Generally in a car?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Do any motorcycle?</p> <p>10 A. No.</p> <p>11 Q. Bicycle?</p> <p>12 A. No.</p> <p>13 Q. Foot?</p> <p>14 A. From time to time.</p> <p>15 Q. You know the guy at the end of the table</p> <p>16 down there?</p> <p>17 A. I do.</p> <p>18 Q. Who is that?</p> <p>19 A. That is, I believe, PFC Shapelow.</p> <p>20 Q. So you said PFC Shapelow?</p> <p>21 A. Police Officer First Class is what PFC</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Yes.</p> <p>2 Q. Okay. Have you watched it more than once?</p> <p>3 A. That would be a fair statement.</p> <p>4 Q. When did you first watch it?</p> <p>5 A. When I heard about the incident from a</p> <p>6 coworker of mine that said, "hey, you're on You</p> <p>7 Tube."</p> <p>8 Q. I've been sitting here before with</p> <p>9 somebody in your position and generally that first</p> <p>10 conversation is by a coworker saying "hey, did you</p> <p>11 know you're famous." Is that what you got?</p> <p>12 MR. CREECH: Objection. Go ahead.</p> <p>13 A. Something to that essence.</p> <p>14 Q. Did you review anything in preparation for</p> <p>15 your deposition here today?</p> <p>16 A. Besides the video?</p> <p>17 Q. Besides the video.</p> <p>18 A. The respondent questions that we've</p> <p>19 submitted to you.</p> <p>20 Q. Anything else?</p> <p>21 A. No.</p>
<p style="text-align: right;">Page 43</p> <p>1 stands for.</p> <p>2 Q. POC you said?</p> <p>3 A. PFC.</p> <p>4 Q. Police officer with an F?</p> <p>5 A. First Class. PFC.</p> <p>6 Q. Do you guys have partners when you're</p> <p>7 patrol officers?</p> <p>8 A. No.</p> <p>9 Q. No. Had you worked with Mr. Shapelow</p> <p>10 before the night that you ran into Mr. Mills?</p> <p>11 A. Yes, I believe so, a couple times.</p> <p>12 Q. Had you ever worked together while working</p> <p>13 on regular shift hours with Anne Arundel police?</p> <p>14 A. No.</p> <p>15 Q. Had you worked with him solely at Maryland</p> <p>16 Live Casino before this?</p> <p>17 A. I believe so.</p> <p>18 Q. Have you watched the You Tube video of the</p> <p>19 interaction between you and Mr. Mills?</p> <p>20 A. I have.</p> <p>21 Q. And I'm talking about the one with audio?</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. Okay. What video did you review?</p> <p>2 A. The video that was provided.</p> <p>3 Q. And the You Tube video as well?</p> <p>4 A. Yes. That's the one I'm referring to.</p> <p>5 MR. CREECH: Objection. Unclear. Go</p> <p>6 ahead.</p> <p>7 Q. A You Tube video with audio?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And when did you review that?</p> <p>10 A. The first time?</p> <p>11 Q. No, the last time now.</p> <p>12 A. Maybe earlier this week.</p> <p>13 Q. Was there anything seen on the video that</p> <p>14 you reviewed, I'm not saying the audio right now,</p> <p>15 the video that you reviewed, while you were present</p> <p>16 which you contend did not occur?</p> <p>17 MR. CREECH: Objection. Go ahead.</p> <p>18 A. The video seemed to be -- the video</p> <p>19 portion of it seemed to be, I guess, pretty</p> <p>20 accurate.</p> <p>21 Q. Was there anything you heard on that video</p>



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Pages 46-49

<p style="text-align: right;">Page 46</p> <p><b>1 while you were present, on that video while you were</b></p> <p><b>2 present on that video, which you contend was not</b></p> <p><b>3 said?</b></p> <p>4 MR. CREECH: Objection. Go ahead.</p> <p>5 A. As far as what you can hear?</p> <p><b>6 Q. Yes.</b></p> <p>7 A. Some of it is un -- you can't really hear</p> <p>8 everything but --</p> <p><b>9 Q. Everything that you can hear --</b></p> <p>10 MR. CREECH: Objection. You're talking</p> <p>11 over him.</p> <p>12 MR. NERSESIAN: You're right, I am,</p> <p>13 because he's changing the question. I want to</p> <p>14 make sure the question is clear.</p> <p>15 MR. CREECH: Thank you.</p> <p><b>16 Q. Of everything that you can hear said on</b></p> <p><b>17 that video, is it your contention that some of that</b></p> <p><b>18 was not actually said?</b></p> <p>19 MR. CREECH: Objection. Go ahead.</p> <p>20 MS. BEALL: Objection.</p> <p>21 A. No, everything that you can hear was said.</p>	<p style="text-align: right;">Page 48</p> <p><b>1 Maryland Live; is that correct?</b></p> <p>2 A. That's correct.</p> <p><b>3 Q. Are you okay?</b></p> <p>4 A. I'm just adjusting.</p> <p><b>5 Q. That hurt me.</b></p> <p>6 MR. CREECH: Did I miss something?</p> <p>7 MR. NERSESIAN: Your client --</p> <p>8 MR. CREECH: Let's go off the record.</p> <p>9 (Off the record colloquy.)</p> <p>10 BY MR. NERSESIAN:</p> <p><b>11 Q. How much were you being paid?</b></p> <p>12 A. At the time, I don't recall. Because we</p> <p>13 had gotten a few raises.</p> <p><b>14 Q. Okay. Well, give me an idea.</b></p> <p>15 A. Ball park, let's say --</p> <p>16 MR. CREECH: Objection. Go ahead.</p> <p>17 A. I would say \$35 an hour to \$40 an hour.</p> <p><b>18 Q. Do you still work for Maryland Live at</b></p> <p><b>19 times?</b></p> <p>20 A. I do.</p> <p><b>21 Q. Do you know if Mr. Shapelow does?</b></p>
<p style="text-align: right;">Page 47</p> <p><b>1 Q. Have you tried to fill in the parts that</b></p> <p><b>2 you can't understand?</b></p> <p>3 MR. CREECH: Objection. Go ahead.</p> <p>4 A. What do you mean by that?</p> <p><b>5 Q. Well, you said there are parts while</b></p> <p><b>6 you're on the video that you can't understand that</b></p> <p><b>7 are -- and my question is have you tried to recall</b></p> <p><b>8 what was said during those parts so that it could be</b></p> <p><b>9 clearer?</b></p> <p>10 A. No, I don't think so.</p> <p><b>11 Q. All right. Now, I understand from your</b></p> <p><b>12 responses to the interrogatories that you were</b></p> <p><b>13 actually in the employ of Maryland Live at the time</b></p> <p><b>14 of the events seen on the You Tube video. Let's</b></p> <p><b>15 call it the Mills events. And we will refer to the</b></p> <p><b>16 Mills events as that period of time in which you and</b></p> <p><b>17 Mr. Mills were present together at Maryland Live</b></p> <p><b>18 Casino, okay?</b></p> <p>19 A. Okay.</p> <p><b>20 Q. Now, I understand that at the time of</b></p> <p><b>21 Mills events you were actually in the employ of</b></p>	<p style="text-align: right;">Page 49</p> <p>1 MR. CREECH: I didn't catch the question.</p> <p><b>2 Q. Do you know if Mr. Shapelow still works</b></p> <p><b>3 for --</b></p> <p>4 A. I don't know. We have varying shifts. I</p> <p>5 don't know if he's still there or not.</p> <p><b>6 Q. Okay. So it's luck of the draw who you</b></p> <p><b>7 end up with on any given night?</b></p> <p>8 A. True.</p> <p><b>9 Q. How many police officers to your</b></p> <p><b>10 understanding does Maryland Live employ on any</b></p> <p><b>11 shift?</b></p> <p>12 MR. CREECH: Objection.</p> <p>13 MS. BEALL: Objection.</p> <p>14 MR. CREECH: Basis of knowledge. Go</p> <p>15 ahead.</p> <p>16 A. I don't know. You mean how many officers</p> <p>17 are working at one time?</p> <p><b>18 Q. Yes.</b></p> <p>19 A. Generally two.</p> <p><b>20 Q. So you're not with Anne Arundel County at</b></p> <p><b>21 this time, you're with Maryland Live and you're on</b></p>

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Pages 50-53

<p style="text-align: right;">Page 50</p> <p>1 <b>their payroll. Who is your boss?</b></p> <p>2 MR. CREECH: Objection.</p> <p>3 MS. BEALL: Objection.</p> <p>4 MR. CREECH: Go ahead.</p> <p>5 A. The casino.</p> <p>6 <b>Q. Who is your physical human boss?</b></p> <p>7 MR. CREECH: Objection. You mean at this</p> <p>8 specific point?</p> <p>9 MR. NERSESIAN: While working for Maryland</p> <p>10 Live Casino.</p> <p>11 MR. CREECH: It may have changed. You</p> <p>12 mean during the Mills incident?</p> <p>13 MR. NERSESIAN: Yes.</p> <p>14 MR. CREECH: Got it. Thank you.</p> <p>15 A. I guess -- I don't know, it depends on</p> <p>16 what you're asking of -- like if I need to speak</p> <p>17 with somebody regarding something?</p> <p>18 <b>Q. You're working security at Maryland Live,</b></p> <p>19 <b>right?</b></p> <p>20 A. Correct.</p> <p>21 <b>Q. Okay. Is there somebody who would be the</b></p>	<p style="text-align: right;">Page 52</p> <p>1 <b>Q. If it's not that person that you're</b></p> <p>2 <b>reporting to and working for, who is it?</b></p> <p>3 A. It would be them if I had an issue at the</p> <p>4 casino, correct.</p> <p>5 <b>Q. And how does the position that you have --</b></p> <p>6 <b>strike that. You recognize when you were working</b></p> <p>7 <b>for security at Maryland Live that there are other</b></p> <p>8 <b>people there called security officers?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. And there's usually also a security</b></p> <p>11 <b>manager or somebody in that role?</b></p> <p>12 A. Yes.</p> <p>13 <b>Q. How is your position different from that</b></p> <p>14 <b>of a security officer?</b></p> <p>15 MR. CREECH: Objection.</p> <p>16 MS. BEALL: Objection.</p> <p>17 <b>Q. In the employ of Maryland Live?</b></p> <p>18 MR. CREECH: Objection. Go ahead.</p> <p>19 A. I don't know.</p> <p>20 <b>Q. You may just be, since you're working for</b></p> <p>21 <b>security, another security officer. Fair statement?</b></p>
<p style="text-align: right;">Page 51</p> <p>1 <b>security manager onsite?</b></p> <p>2 A. Yes. At Maryland Live, yes.</p> <p>3 <b>Q. Would that be your boss for that shift?</b></p> <p>4 A. I don't know that I would consider him my</p> <p>5 boss. But in essence if I had an issue with the</p> <p>6 casino, I could speak with him, yes.</p> <p>7 <b>Q. Well, you're working for the casino,</b></p> <p>8 <b>right?</b></p> <p>9 A. Yes.</p> <p>10 <b>Q. You report to somebody if you're working</b></p> <p>11 <b>for them, right?</b></p> <p>12 A. Yes.</p> <p>13 <b>Q. Who do you report to?</b></p> <p>14 A. We don't have a physical person because</p> <p>15 they constantly change. Whoever is on shift.</p> <p>16 <b>Q. And that would be the shift manager on</b></p> <p>17 <b>shift for security, right?</b></p> <p>18 MR. CREECH: Objection. Go ahead.</p> <p>19 A. I guess you could say that.</p> <p>20 <b>Q. Well, who else might it be?</b></p> <p>21 A. What do you mean?</p>	<p style="text-align: right;">Page 53</p> <p>1 MR. CREECH: Objection.</p> <p>2 MS. BEALL: Objection.</p> <p>3 MR. CREECH: Go ahead.</p> <p>4 A. Yes.</p> <p>5 <b>Q. Okay. Except there is a difference. When</b></p> <p>6 <b>we look at that video, what's that uniform you're</b></p> <p>7 <b>wearing?</b></p> <p>8 A. That's an Anne Arundel County police</p> <p>9 department uniform.</p> <p>10 <b>Q. Did you have a badge on?</b></p> <p>11 A. I do.</p> <p>12 <b>Q. In the video?</b></p> <p>13 A. Yes.</p> <p>14 <b>Q. Okay. You don't have a badge with you</b></p> <p>15 <b>right now, do you?</b></p> <p>16 A. No.</p> <p>17 <b>Q. What about in your wallet?</b></p> <p>18 A. No.</p> <p>19 <b>Q. No?</b></p> <p>20 MR. NERSESIAN: Can we go off the record a</p> <p>21 second.</p>



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Pages 54-57

<p style="text-align: right;">Page 54</p> <p>1 (Off the record colloquy.)</p> <p>2 BY MR. NERSESIAN:</p> <p>3 Q. The badge that you had on during the Mills</p> <p>4 event, tell me -- strike that. You see that</p> <p>5 Mr. Shapelow has a badge. Is that the same type of</p> <p>6 badge that you had on?</p> <p>7 A. Similar, yes.</p> <p>8 Q. Okay. What's it say on it?</p> <p>9 A. I can not read it from here. Police</p> <p>10 officer, Anne Arundel County, Maryland.</p> <p>11 Q. Can I see it. Okay. Thank you. Now, I</p> <p>12 don't know what Mr. Shapelow's weapon of choice is,</p> <p>13 but he's got one on his hip right now. Did you have</p> <p>14 one on your hip during the Mills incident?</p> <p>15 A. Correct.</p> <p>16 Q. And would that have been your Sig Sauer?</p> <p>17 A. Yes.</p> <p>18 Q. Mr. Coulter has been identified as the</p> <p>19 security manager onsite at the time of the incident.</p> <p>20 Was that your understanding?</p> <p>21 A. Yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 incident?</p> <p>2 MR. CREECH: You mean his immediate</p> <p>3 supervisor?</p> <p>4 MR. NERSESIAN: Yeah.</p> <p>5 MR. CREECH: Thank you. Just want to make</p> <p>6 sure.</p> <p>7 A. I don't recall to be honest. We've gone</p> <p>8 through a lot of supervision.</p> <p>9 Q. Would that have been a Corporal or a</p> <p>10 Sergeant?</p> <p>11 A. It would have been a Sergeant.</p> <p>12 Q. Did you ever contact the Sergeant in any</p> <p>13 fashion about your interaction with Mr. Mills?</p> <p>14 A. No.</p> <p>15 Q. Tell me how you first became aware of</p> <p>16 Justin Mills?</p> <p>17 A. We were contacted by someone in the casino</p> <p>18 saying "hey, we have a gentleman, we need you back</p> <p>19 at this location", and we responded there.</p> <p>20 Q. So you had heard nothing about Mr. Mills</p> <p>21 until he was, from your recollection, already in the</p>
<p style="text-align: right;">Page 55</p> <p>1 Q. Now, at the same time while you're working</p> <p>2 for Maryland Live, on other shifts -- strike that.</p> <p>3 Was your employment with Anne Arundel County</p> <p>4 full-time at the time of the Mills incident?</p> <p>5 MR. CREECH: Objection. Go ahead.</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Forty hours a week plus OT when</p> <p>8 requested?</p> <p>9 A. Generally more than that, but yes.</p> <p>10 Q. Okay. Well, isn't anything over 40</p> <p>11 overtime?</p> <p>12 MR. CREECH: Objection. Go ahead.</p> <p>13 A. No. We have a different schedule so we</p> <p>14 work about 60 hours, but then the next week we will</p> <p>15 work like 40. It varies. It's complicated, hard to</p> <p>16 go over right now. Yes, we generally work at least</p> <p>17 more than 40 hours every week.</p> <p>18 Q. Okay. In your job with Anne Arundel did</p> <p>19 you have a boss at the police department?</p> <p>20 A. Yes.</p> <p>21 Q. And who was that at the time of the Mills</p>	<p style="text-align: right;">Page 57</p> <p>1 back hallway?</p> <p>2 MR. CREECH: Objection. Go ahead.</p> <p>3 A. That's correct. That's correct.</p> <p>4 Q. Now, when you watch the video you see</p> <p>5 Mr. Coulter step out of the hallway. Let's call it</p> <p>6 the hallway, because that's what it's labeled on the</p> <p>7 videos. You see Mr. Coulter step out of the</p> <p>8 hallway. And then return with you and Mr. Shapelow.</p> <p>9 The question is did you meet Mr. Coulter outside of</p> <p>10 the hallway?</p> <p>11 A. That's correct.</p> <p>12 Q. Okay. Do you have any understanding how</p> <p>13 Mr. Mills got into that room?</p> <p>14 MR. CREECH: Objection.</p> <p>15 Q. The hallway?</p> <p>16 MR. CREECH: Objection. Go ahead.</p> <p>17 A. No.</p> <p>18 Q. So you didn't know if he was there</p> <p>19 voluntarily or if he had been forced there --</p> <p>20 MR. CREECH: Objection.</p> <p>21 Q. -- before you went in?</p>





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<p style="text-align: right;">Page 58</p> <p>1 MR. CREECH: Objection. This is not a</p> <p>2 speaking objection. The question is other than</p> <p>3 conversations with counsel, correct?</p> <p>4 MR. NERSESIAN: I'm talking about his</p> <p>5 knowledge at the time.</p> <p>6 MR. CREECH: His knowledge at the time.</p> <p>7 Fine. Okay.</p> <p>8 Q. Did you have any knowledge as to whether</p> <p>9 or not Mr. Mills, and this is at the time of the</p> <p>10 incident, before you entered the hallway, did you</p> <p>11 have any knowledge as to whether or not he was there</p> <p>12 voluntarily or involuntarily?</p> <p>13 MR. CREECH: Objection. Go ahead.</p> <p>14 A. I had the knowledge of what Chris and Mr.,</p> <p>15 I think it's Alleo or Azello, however you say his</p> <p>16 name, and told me --</p> <p>17 Q. The guy that looks like Isella?</p> <p>18 A. Isella, is that his name. I had no</p> <p>19 information besides when I got to the hallway door</p> <p>20 and they talked to us and told us "hey, this is</p> <p>21 what's going on." Before that moment I had no</p>	<p style="text-align: right;">Page 60</p> <p>1 officer by what you say?</p> <p>2 A. Yes, I was off duty.</p> <p>3 Q. Do you guys carry an ordinance book?</p> <p>4 A. For?</p> <p>5 Q. I know in Las Vegas, and I know in Allen</p> <p>6 Park, Michigan, and I know in Dearborn, Michigan</p> <p>7 police officers carry, usually it's spiral bound, in</p> <p>8 fact all three of the ones I know of are spiral</p> <p>9 bound, and they are quick flip notebooks of what the</p> <p>10 laws are and what the ordinances are in order that</p> <p>11 they can double-check things. They are not</p> <p>12 thorough, okay. By that I mean -- do you carry</p> <p>13 anything with a short form set of laws that you can</p> <p>14 refer to?</p> <p>15 A. No.</p> <p>16 Q. No. So how do you remember traffic</p> <p>17 violations as a patrol officer when you're writing</p> <p>18 them?</p> <p>19 A. We have a traffic law book. That's not an</p> <p>20 ordinance book though. We have a traffic law book</p> <p>21 and then a lot of the stuff we have on our computer</p>
<p style="text-align: right;">Page 59</p> <p>1 recollection of anything with Mr. Mills.</p> <p>2 Q. What did they tell you?</p> <p>3 A. They had stated --</p> <p>4 Q. And tell me who told you what?</p> <p>5 A. Okay. From what I can recall, Coulter and</p> <p>6 Isella, or however you say his name, Isella, was</p> <p>7 there. They had stated to me and Officer Shapelow</p> <p>8 there was some type of incident, there was a dispute</p> <p>9 over card counting. Mr. Isella had stated that, who</p> <p>10 I now know as Mr. Mills, had violated some type of</p> <p>11 card counting ordinance, something to that extent.</p> <p>12 They said "hey, we're just going to ban this guy, we</p> <p>13 just want to get his information so we can send him</p> <p>14 on his way."</p> <p>15 Q. Who is the one that said there was some</p> <p>16 type of ordinance violation?</p> <p>17 A. I believe it was Mr. Isella.</p> <p>18 Q. You are a police officer, right?</p> <p>19 MR. CREECH: Objection. Go ahead.</p> <p>20 A. At this moment, yes.</p> <p>21 Q. And even then you were an off-duty police</p>	<p style="text-align: right;">Page 61</p> <p>1 that we can do key word searches and it pulls up the</p> <p>2 entire book.</p> <p>3 Q. Crud, I forgot about that whole computer</p> <p>4 thing now. But you don't have your computer when</p> <p>5 you're working at Maryland Live, right?</p> <p>6 A. No.</p> <p>7 Q. Okay.</p> <p>8 MR. CREECH: Objection. Go ahead.</p> <p>9 Q. Do you have your computer out in your car</p> <p>10 when you're working at Maryland Live?</p> <p>11 A. Depends on the day, but, yes, generally.</p> <p>12 Q. So you take a patrol car to Maryland Live</p> <p>13 to go to work?</p> <p>14 A. Yes.</p> <p>15 Q. With a radio in it and computer in it?</p> <p>16 MR. CREECH: Objection. Go ahead.</p> <p>17 A. My radio is on me with my uniform, but</p> <p>18 yes.</p> <p>19 Q. Okay. Do you have any knowledge of what</p> <p>20 type of arrangement is made in order that the</p> <p>21 taxpayers of Anne Arundel County provide you with a</p>



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<p style="text-align: right;">Page 62</p> <p><b>1 vehicle to drive back and forth to a moonlighting</b></p> <p><b>2 job?</b></p> <p>3 MR. CREECH: Objection.</p> <p>4 MS. BEALL: Objection.</p> <p>5 A. I have no idea.</p> <p><b>6 Q. Okay.</b></p> <p>7 MR. CREECH: Also to the comment it's a</p> <p>8 moonlighting job. It's secondary employment</p> <p>9 here in Anne Arundel County.</p> <p>10 MR. NERSESIAN: Yeah, that's sort of what</p> <p>11 moonlighting is, Mr. Creech.</p> <p>12 MR. CREECH: Well, I disagree -- disagree</p> <p>13 with the phrasing. But...</p> <p>14 MR. NERSESIAN: I could say piggybacking</p> <p>15 on the public dime if you want me to.</p> <p>16 MR. CREECH: I guess you can say whatever</p> <p>17 you want to, Mr. Neresian.</p> <p><b>18 Q. So who said that we need to get -- "we</b></p> <p><b>19 just want to get his I.D. and get him out of here"?</b></p> <p>20 A. I believe it was Mr. Coulter.</p> <p><b>21 Q. Okay. So even before you entered the</b></p>	<p style="text-align: right;">Page 64</p> <p>1 A. So give me the question?</p> <p><b>2 Q. If there --</b></p> <p>3 MR. CREECH: Objection. He's trying to</p> <p>4 respond to the question. Please allow him.</p> <p>5 MR. NERSESIAN: Can you read back what</p> <p>6 just happened, because I need him to stop that.</p> <p>7 (Reporter read back testimony.)</p> <p><b>8 Q. So give me the question again. I'm giving</b></p> <p><b>9 him the question again and you're jumping down my</b></p> <p><b>10 throat. I'm following your client's request. The</b></p> <p><b>11 question again is if there were an ordinance that</b></p> <p><b>12 was being violated, do you know whose ordinance it</b></p> <p><b>13 would have been?</b></p> <p>14 A. I did not know. I know Mr. Isella, I</p> <p>15 believe he told me he's with the Gaming Commission,</p> <p>16 so I assume it was a Gaming Commission ordinance.</p> <p>17 Or Maryland Lottery, Maryland Gaming Commission, one</p> <p>18 of those. I'm not really sure what the official</p> <p>19 title is for the Gaming Commission.</p> <p><b>20 Q. Isn't it true that they issue regulations,</b></p> <p><b>21 not ordinances?</b></p>
<p style="text-align: right;">Page 63</p> <p><b>1 room, Mr. Isella had essentially told you we're not</b></p> <p><b>2 interested in arresting this guy for anything?</b></p> <p>3 MR. CREECH: Objection.</p> <p>4 A. He never said that. He just stated that</p> <p>5 there was some type of card counting violation. And</p> <p>6 that's when I believe Chris Coulter said "hey, we</p> <p>7 just want to get his information so we can ban him."</p> <p><b>8 Q. Okay. If there were an ordinance, do you</b></p> <p><b>9 know whose ordinance it would have been?</b></p> <p>10 MR. CREECH: Objection.</p> <p>11 MS. BEALL: Objection.</p> <p>12 MR. CREECH: Speculation. Go ahead.</p> <p>13 MR. NERSESIAN: Fine. So he speculated</p> <p>14 about everything.</p> <p><b>15 Q. Go on?</b></p> <p>16 MR. CREECH: Objection to the comment.</p> <p>17 MR. NERSESIAN: I can comment on your</p> <p>18 comments while you're trying to give speaking</p> <p>19 objections.</p> <p>20 MR. CREECH: Objection to the</p> <p>21 characterization.</p>	<p style="text-align: right;">Page 65</p> <p>1 MR. CREECH: Objection.</p> <p>2 MS. BEALL: Objection.</p> <p>3 MR. CREECH: Go ahead.</p> <p>4 A. I don't know.</p> <p><b>5 Q. So you assumed it was a body that you</b></p> <p><b>6 don't even know had authority to make an ordinance</b></p> <p><b>7 that he was referring to as the ordinance maker?</b></p> <p>8 MR. CREECH: Objection.</p> <p>9 MS. BEALL: Objection.</p> <p>10 MR. CREECH: Go ahead.</p> <p><b>11 Q. Fair statement?</b></p> <p>12 A. I don't know.</p> <p>13 MR. CREECH: Objection. Go ahead.</p> <p>14 A. I don't know.</p> <p><b>15 Q. And that's exactly what you followed up on</b></p> <p><b>16 too was walking in there and making sure that</b></p> <p><b>17 Mr. Mills gave up his I.D., right?</b></p> <p>18 MR. CREECH: Objection.</p> <p>19 MS. BEALL: Objection.</p> <p>20 MR. CREECH: Go ahead.</p> <p><b>21 Q. That was your goal, to get his I.D.?</b></p>



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<p style="text-align: right;">Page 66</p> <p>1 A. Like I said, Mr. Coulter --</p> <p>2 MR. CREECH: Objection.</p> <p>3 A. Mr. Coulter had asked we just -- "hey,</p> <p>4 listen, we just want to get this guys I.D. so we</p> <p>5 know who he is so we can ban him." So that was</p> <p>6 objection going into the room was "hey, let's just</p> <p>7 get his I.D. so we can get him out of here."</p> <p>8 <b>Q. You said "that was my objection." You</b></p> <p>9 <b>meant your objective?</b></p> <p>10 A. My objective, correct.</p> <p>11 <b>Q. Okay. Now, when you entered, Mr. Mills</b></p> <p>12 <b>stated he would like to leave, right?</b></p> <p>13 MR. CREECH: Objection. Go ahead.</p> <p>14 A. He never stated to me that he would like</p> <p>15 to leave.</p> <p>16 <b>Q. Okay. He did resist providing his</b></p> <p>17 <b>identification, fair statement?</b></p> <p>18 A. When I first got there, yes.</p> <p>19 <b>Q. Okay. In fact he told you that there's no</b></p> <p>20 <b>law that says I have to, right?</b></p> <p>21 A. I don't recall that.</p>	<p style="text-align: right;">Page 68</p> <p>1 MS. BEALL: Objection.</p> <p>2 MR. CREECH: Form of the question.</p> <p>3 A. I don't think Mr. Isella was the one who</p> <p>4 wanted his I.D., he was the one informing me about</p> <p>5 the gaming laws they have in place.</p> <p>6 <b>Q. Well, if they don't have ordinances, does</b></p> <p>7 <b>he have to give up his I.D.?</b></p> <p>8 MR. CREECH: Objection.</p> <p>9 A. I don't know if they had ordinances. It</p> <p>10 would be my assumption that if he identified himself</p> <p>11 as part of the Gaming Commission that he would</p> <p>12 understand that.</p> <p>13 <b>Q. Who is part of the Gaming Commission?</b></p> <p>14 A. Mr. Isella.</p> <p>15 <b>Q. Where do you get that information?</b></p> <p>16 A. That's what he told us.</p> <p>17 <b>Q. Mr. Isella told you he's part of the</b></p> <p>18 <b>Gaming Commission?</b></p> <p>19 A. Yes, that he worked for Maryland Gaming</p> <p>20 Lottery Commission, something of that essence.</p> <p>21 <b>Q. When did he tell you that?</b></p>
<p style="text-align: right;">Page 67</p> <p>1 <b>Q. Didn't he tell you that he's back there</b></p> <p>2 <b>against his will and there is no law that allows</b></p> <p>3 <b>them to do that either?</b></p> <p>4 MR. CREECH: Objection.</p> <p>5 MS. BEALL: Objection.</p> <p>6 A. He did mention something of that sort.</p> <p>7 Whether that's the exact phrasing, I'm not sure.</p> <p>8 <b>Q. Now, here's my question. At one point you</b></p> <p>9 <b>go, "well, you aren't in Nevada." Remember that?</b></p> <p>10 A. To something to that extent, correct.</p> <p>11 <b>Q. And you said, "here we have ordinances</b></p> <p>12 <b>against that sort of thing", right?</b></p> <p>13 A. Yes, based on what I was being told.</p> <p>14 <b>Q. Well, based on what you were being told by</b></p> <p>15 <b>Isella. So you have the gentleman to my right,</b></p> <p>16 <b>Mr. Mills, telling you X, and Mr. Isella telling you</b></p> <p>17 <b>Y. Mr. Isella has an agenda, he wants an I.D.</b></p> <p>18 <b>Mr. Mills has an agenda, he doesn't want to be held</b></p> <p>19 <b>and he doesn't want to provide his I.D. Why do you</b></p> <p>20 <b>believe Mr. Isella instead of Mr. Mills?</b></p> <p>21 MR. CREECH: Objection.</p>	<p style="text-align: right;">Page 69</p> <p>1 A. In the hallway outside.</p> <p>2 <b>Q. You had never seen him before?</b></p> <p>3 A. I have seen his face there before. I</p> <p>4 didn't know exactly who he is. I've seen him at the</p> <p>5 casino before.</p> <p>6 <b>Q. Okay. Would it surprise you if he's</b></p> <p>7 <b>actually employed by Maryland Live?</b></p> <p>8 MR. CREECH: Objection.</p> <p>9 MS. BEALL: Objection.</p> <p>10 A. I don't know who he's employed by.</p> <p>11 MR. NERSESIAN: Can we take five.</p> <p>12 (Off the record colloquy.)</p> <p>13 BY MR. NERSESIAN:</p> <p>14 <b>Q. Back where we left. Did Isella tell you</b></p> <p>15 <b>he worked for the Gaming Commission?</b></p> <p>16 A. No. I guess he was -- partly I was</p> <p>17 probably just assuming. He didn't officially state,</p> <p>18 "hi, I'm this person with the Gaming Commission."</p> <p>19 It was more like, "hey, this is the gaming law</p> <p>20 regarding this", blah, blah, blah. I know for a</p> <p>21 fact I have seen him in the Gaming Commission</p>



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<p style="text-align: right;">Page 70</p> <p>1 office. They have a little Gaming Commission office</p> <p>2 in Maryland Live, and I have seen him in there on</p> <p>3 occasions. So I might have assumed that maybe he's</p> <p>4 with them. I don't know. I don't know.</p> <p>5 <b>Q. Okay.</b></p> <p>6 A. But whether he officially identified</p> <p>7 himself as here, I'm this person, no.</p> <p>8 <b>Q. So Isella Vegas told you that this</b></p> <p>9 <b>violates ordinances?</b></p> <p>10 A. Yes.</p> <p>11 <b>Q. Card counting?</b></p> <p>12 A. Yes.</p> <p>13 <b>Q. Since then have you looked into that?</b></p> <p>14 MR. CREECH: Objection. Go ahead.</p> <p>15 A. No, I have not.</p> <p>16 <b>Q. So you don't know even today whether or</b></p> <p>17 <b>not Isella lied to you or Mr. Mills lied to you?</b></p> <p>18 MR. CREECH: Objection.</p> <p>19 MS. BEALL: Objection.</p> <p>20 MR. CREECH: Other than discussions with</p> <p>21 counsel. Go ahead.</p>	<p style="text-align: right;">Page 72</p> <p>1 A. I don't assume anyone is lying to me.</p> <p>2 <b>Q. Then why didn't you assume that Mr. Mills</b></p> <p>3 <b>was being truthful when he told you there is no such</b></p> <p>4 <b>ordinance and this is legal. You don't assume</b></p> <p>5 <b>everybody is being truthful. So why did you believe</b></p> <p>6 <b>Isella?</b></p> <p>7 MR. CREECH: Objection. Argumentative.</p> <p>8 MS. BEALL: Objection.</p> <p>9 A. I didn't take one side or the other. My</p> <p>10 objective was to get his identification so he could</p> <p>11 be properly band and we could resolve everything and</p> <p>12 everybody would be on their way. That was my only</p> <p>13 objective.</p> <p>14 <b>Q. Do you think you have the right or</b></p> <p>15 <b>authority to get anybody's I.D. at any time for any</b></p> <p>16 <b>or no reason?</b></p> <p>17 MR. CREECH: Objection.</p> <p>18 MS. BEALL: Objection.</p> <p>19 MR. CREECH: Go ahead.</p> <p>20 A. I don't know that I have an answer to</p> <p>21 that.</p>
<p style="text-align: right;">Page 71</p> <p>1 A. I wouldn't assume anyone lied to me, but I</p> <p>2 don't know what the ordinance says. Nothing has</p> <p>3 changed since that day, I haven't looked any further</p> <p>4 into it.</p> <p>5 <b>Q. Do you know of an ordinance?</b></p> <p>6 MR. CREECH: Objection.</p> <p>7 <b>Q. Or a regulation or anything that would</b></p> <p>8 <b>even touch on that being a crime?</b></p> <p>9 MR. CREECH: Objection.</p> <p>10 A. I don't know. I'm not familiar with</p> <p>11 whatever he was referring to.</p> <p>12 <b>Q. What if he was referring to nothing?</b></p> <p>13 MR. CREECH: Objection.</p> <p>14 <b>Q. He made it up?</b></p> <p>15 MS. BEALL: Objection.</p> <p>16 <b>Q. He wants his I.D. These people want his</b></p> <p>17 <b>I.D. Why would you assume they are not lying to</b></p> <p>18 <b>you?</b></p> <p>19 MR. CREECH: Objection.</p> <p>20 MS. BEALL: Objection.</p> <p>21 MR. CREECH: Go ahead.</p>	<p style="text-align: right;">Page 73</p> <p>1 <b>Q. Well, I would like one. Do you believe,</b></p> <p>2 <b>Douglas Bilter, that I have a right to get anybody's</b></p> <p>3 <b>identification at any time for any or no reason?</b></p> <p>4 A. No.</p> <p>5 MR. CREECH: Objection.</p> <p>6 A. That's not correct.</p> <p>7 <b>Q. So you don't?</b></p> <p>8 A. No.</p> <p>9 <b>Q. When do you have a right to get I.D. I'm</b></p> <p>10 <b>going to withdraw that question and go back a step.</b></p> <p>11 <b>In your training you were taught -- or were you not</b></p> <p>12 <b>taught when you had authority to request</b></p> <p>13 <b>identification?</b></p> <p>14 MR. CREECH: Objection. Go ahead.</p> <p>15 A. Yes.</p> <p>16 <b>Q. Okay. Do you know what a citizen</b></p> <p>17 <b>encounter is?</b></p> <p>18 MR. CREECH: Objection.</p> <p>19 <b>Q. From your training?</b></p> <p>20 MR. CREECH: Go ahead.</p> <p>21 A. A citizen contact is probably what we</p>

